

**Meeting Notes**  
**Community Involvement Advisory Council**  
**February 10, 2009**  
**Kent County Administration Building**

**Members Present:** Dr. Bruce Allison, Dr. Jay Julis, Pamela Meitner, La Vaida Owens-White, William Pelham, Brian E. Lewis, Harold Truxon. **Quorum is met** with 7 out of 11 members present.

**Members Absent:** Douglas Corey, Robert Frederick, Dr. Bethany Hall-Long, Marvin Thomas

**Others Present:** Joe Melloy with Friends of Wilmington Parks; George Losse, Dan Harkins, Lee P Farmer (Knollwood), Dee Whildin, Jeanette Matinas, Babak Golgolab with Claymont Coalition; William Oettel with Department of Correction; Jim Black and Katie Edwards with Clean Air Council, Derek Stoner and John Janowski with Delmarva Ornithological Society; Denise Husband, Ann Palmer and Phil Thayer with N. St. Georges Civic Association, Christina Wertz, Terri Brixen, Bill Miller, James Brunswick and Vicki Ward with DNREC.

**Meeting Called to Order and protocol review.**

Bill Pelham, Chair of the Community Involvement Advisory Council welcomed all present and noted we have a quorum of members. Bill reviewed the mission of the Community Involvement Advisory Council, as set forth by 29 Del. Code Section 8016A to ensure that no community in the State is disparately affected by environmental impacts; Increase the flow of information between communities and the Department of Natural Resources and Environmental Control; Increase community participation; Facilitate dialogue among all stakeholders during the decision making process. For the benefit of all present Bill requested round table introductions.

Meeting notes of the November 13, 2008 meeting were reviewed by council. It was noted that Dr. Bethany Hall-Long should be added into the member's present section. With this change in mind a motion to approve the notes was received from Pam Meitner and second by Mr. Harold Truxon, all in favor the meeting minutes were approved.

Moving to the **2009 Community Environmental Project Fund Applicants**, Bill noted a good representation of applicants, friends of applicants and other DNREC personnel, Christina Wertz, Terri Brixen and Bill Miller.

Bill noted our agenda has projects listed in three categories; Air Quality, Pollution Mitigation and Environmental Enhancement in arbitrary order. He requested applicants to please be brief in their presentations, the written proposals have been reviewed by a subcommittee, and James Brunswick has conveyed the thoughts of that subcommittee to applicants.

James stated in general the subcommittee that reviewed the grants felt Claymont Collation should have 15 minutes presentation time since the subcommittee had heard from the Division of Air and Waste Management without representation from the Claymont group.

Denny Larson of Global Community Monitor is participating by telephone on behalf of the Claymont Community Collation and able to speak to the scientific aspects of the project.

### **Claymont Community Monitoring – Phase II**

Present: Jeanette Matinas, and Dee Whildin, George Losse', Babak Golgolab, Dan Harkins and Lee Farmer helped on the committee.

The Claymont Community Phase II handout briefly describes the objectives to accomplish. The grant received last year was to confirm dust was coming from Evraz Claymont Steel. We want to eliminate this dust; DNREC has taken steps in that direction. Primary results, has shown Claymont has toxicity as reported by DNREC. The plant is currently not in production, but lab results indicate high levels of toxic materials. We are looking for funding to continue monitoring. We would like to continue to monitor until Claymont stops the dust as ordered by DNREC. Our request is to give us funding so we can do that.

DNREC has told us we don't need to do this study. Global Community Monitor, Denny Larson, who is on the phone taught us how to do the monitoring. This page talks about manganese and lead health effects. . Denny will speak to the scientific nature.

Denny informed that many of the dust reduction measures have not been implemented yet. The community will not be able to measure the effectiveness of those measures. Bill questioned and Denny answered that he has been involved with Claymont Coalition for two years. James gave a call. He has been in discussions for over a year before the MOU was signed.

Bill questioned Denny Larson if they had a contract with DNREC for that entire time period.? Services were volunteered for that first year. This is not unusual. I traveled to Delaware for 8 years to conferences. I was aware of the problem, and delighted someone took initiative.

Bill asked about being a paid consultant recently? Yes, Global Community Monitor is a paid consultant for training on monitoring protocol, administering and overseeing the

project. Of the requested \$31,280 grant request, it was questioned how much of that amount is for the consultant. Denny stated he believed it was \$8,000; most of the work is done by the community residents. They will haul equipment to roofs and telephone poles, collecting data.

Pam questioned how do you decide where to locate monitors? Denny replied, as part of standard operation procedures, we start close to the facility. Knollwood for example, up on days down wind from the facility, we look for reporters to DNREC and iron, then move farther and further to see metal plume.

Pam asked how you distinguish between Motiva and other facilities. Denny stated that certain metals such as iron and manganese, are not part of traffic, they are a unique marker to the facility. For example, Sunoco occasionally releases dust in area but not the emissions that are unique to Claymont. There are huge amounts of iron in the dust collected, and according to our expert, Dr. Constantinos Sioutas at Harvard, the dust must come from Claymont Evraz Steel.

Pam asked how is this testing different from DNREC and EarthTech testing. Is it only PM<sub>2.5</sub> or total suspended particulate matter concentration, regardless of content? Denny answered DNREC did not check components for content, or speciation. We won't know the answer without speciation. – checking for the contents.

Bruce questioned the larger air shed. Not knowing how dust is dispersed, could there be anything upwind from wind velocity that could confound your fingerprint of Claymont? Denny stated simultaneous up and down wind samples are taken, measuring up wind for possible other sources to see what the levels are. Upwind does not have the same toxic components as down wind.

LaVadia – arrives

Bruce asked how far upwind, and how was this determined? Dee is spacing monitors and placing them close to the facility. Denny replied that we must rely on homes or property available to us. If we can get cooperation for monitor placement, we are happy to work on getting advice for placement of upwind monitors.

James asked Denny to elaborate on the chart shown by Jim Werner at the Monitoring Committee meeting with DNREC that indicated the Committee is finding the same levels of fine particulate that DNREC was finding. Explain the difference between your analysis of fine particles and DNREC's content work.

Denny stated this is a good example of drilling down on data and analysis that goes beyond the work of DNREC to date. On the hand out, DNREC reported results from the department's Bellefonte monitor and Claymont that indicated similar levels of PM<sub>2.5</sub>. It is harmful and is relatively even throughout the state. But, what is in the particulate? What are the contents? Is the particulate composed of metals, or smoke from a campfire? What is the source? When we see actual content, you can identify the source. Is it slag,

or emissions from the melt shop? We took DNREC data and analyzed it further. This adds value to DNREC work and tells what the source is, and it will help us to determine what the solution is.

James stated that the Bellefonte monitor may have different results than the Claymont monitor. Denny replied this is why we must do the speciation, analyze the content, cross reference with known sources to identify the origin, the melt shop or slag pile. In 2009 and 2010 can measure the effectiveness of the solutions?

James asked, in the handout you were indicating that you found concentrations of lead and manganese? Denny stated that lead is particularly harmful to children in brain function and cognitive thinking. Manganese has been heavily studied by University of Cincinnati. Manganese poses as great a threat as lead. It is bio-cumulative in the body. State and Federal agencies are lowering the allowable levels of manganese.

James stated in Thursday's Claymont meeting, which Jim Werner, Division of Air and Waste Management Division Director and David Small, DNREC Acting Secretary attended, David found this issue most significant. It was compelling enough that the Acting Secretary offered DNREC's assistance in getting the data before the Department of Public Health (DPH) for an analysis. Denny stated we would like to work with DPH in future actions regarding Claymont Steel and have collaborative relations with DNREC.

Bill asked if Denny was present at the meeting, to which Denny replied; Yes, he was, along with 4 representatives from DNREC and the members of the dust monitoring committee.

Jay questioned if any mercury was recovered? Denny answered mercury had not detected in samples yet. But I understand that DNREC has found it in source testing. Perhaps this is due to the sampling protocol. We are looking into this to find another test method. It is good news that mercury was not found, so those levels are encouraging. We need to find a method for lower detection levels.

Pam asked if you find the heavy metals cut, by say half, what will you do. Denny answered; the first response to any significant finding is to report back. There is a parallel process that Evraz Claymont Steel has been implementing. We would work with them and DNREC to cross reference and measure the effectiveness of pollution controls. That is how the monitoring is designed. We want to celebrate with Evraz Claymont Steel and DNREC when any measure delivers the promised results in emission reductions.

Pam questioned if testing is based on timing. Denny replied one sample will be taken every week according to EPA protocol, throughout 2009 – 2010.

Pam asked if they would take a sample every week or during changes. Denny replied over time, we may see changes in one location, but find dust coming from another area in the plant. Over time, we would take a sample every week.

Pam verified so one sample every week? Denny stated, yes, that's the plan submitted.

Bill asked if the funding from this would pay for 2009? Pam also questioned if this would cover 2010 funds or will you be back? Jeanette Matinas replied, we may be back, but we have also requested funds from other sources until we see the dust disappear.

James questioned if New Castle County has offered funding. Jeanette replied no, but the County may at a future time provide additional, limited resources. During this fiscal crises, the commitment is that they will fund the maximum allowable amount which would be about \$2,000, nothing that would alleviate the need for addition funds.

Pam stated she is used to seeing a baseline, then do subsequent test. The idea of testing every week is a lot of testing that will not add value. Denny replied, when we started we established a baseline. Claymont is implementing dust control measures, we are monitoring, and they have not gotten to the most effective measures. We want our data to measure up to EPA requirements; we want to do that to follow the protocols.

Pam stated nothing in EPA says you must test once a week. Reasonable data has or has not changes. Denny stated regular testing is needed, it is an EPA protocol. Pam requested and Denny stated he could supply a site for that protocol. Testing would be once ever 6 days to have randomness.

Bill called for any other questions to the presenters and to Denny.

Denny – excellent questions.

George Losse', President of the Claymont Community Coalitions stated this is an organization of 6 or 7 heavily involved civic associations. Our comments are for credibility of DNREC. It issued an order to clean up, ordered Earth Tech to come in and monitor. We have not seen anything, not seen any enforcement action. We want the dust levels to go down. We want the dust eliminated. Citizens don't know what **speciesations** is. On Jan 29<sup>th</sup> meeting, Jim Werner made a statement to the press that our studies mirrored theirs, but they did not, ours were different, DNREC just tested for particulate. We don't want hazardous materials; we want to continue with the testing.

Brian questioned how long this has been going on, to which Dee replied since 2003.

Brian then questioned why there was no enforcement. Pam stated with many large scale operations it's not like flipping a switch, tests must be taken, studies made, there may be equipment changes, large pieces of equipment, some studies may take a year, may need to place orders for specialty equipment, with a shutdown of operations to install. A normal consent order has a timeline, it's not a flip of a switch; it takes time to change a process. DNREC is overseeing the process as long as in a timely way and they are in compliance, this is an assumption.

Jeanette stated since the 2006 order, and the EarthTech study, it is now in 2009. We have only seen Claymont has paved roads, done things that don't cost a lot of money.

James stated that this is the mission of the CIAC. The project has resulted in the increase in the flow of information between communities and the department. There is real value in supporting citizens to come up with solutions on their own, and where can have factual dialogue with DNREC. There has been lots of anger and misunderstanding in the past. The virtue of the project has been the new ability of the community to come to the table to with factual information about the emissions. Facts will lead to the community as a partner with DNREC. It could lead to factual discussions about the infractions and further dialogue among stakeholder about possible enforcement actions. This supports another factor our mission as a council that is focused on improving community involvement.

Bill requested a vote to move ahead. We are looking for a vote to approve.

**MOTION:** La Vaida motioned to approve the **Claymont Community Monitoring – Phase II** project Brian second the motion.

Discussion: Dee demonstrated the dust collected in a sample jar. Bill noted we have had a thorough discussion of this project and called for a final vote. **All members were in favor of the project, with none opposing, the funding was approved. The recommendation will be made to the Acting Secretary to approve.**

Bill asked who the DNREC sponsor for Claymont project. In the Subcommittee meeting James was assigned as the temporary sponsor. La Vadia noted that David Small was in support of the project.

### **Clean Air Council**

Present: Katie Edwards, Asthma Action Partnership Coordination and Jim Black in charge of Delaware operations.

Katie wished to clarify, we have changed our proposal at James' recommendation; changing the target area from Claymont to South Wilmington. We have been working in the Philadelphia Ports community with success with both residents and port operation. We are looking to replicate our success in south Wilmington. The project we will be supporting is called the Asthma Action Partnership. We aim to reduce air pollution, reduce toxins and provide training. It will include topics such as effective public participation in permitting decisions. How to use information to participate in Public Hearings. We are also going to work with Global Community Monitor and Denny Larson, who just spoke for the previous project. The project is located in a highly industrialized area, and we are looking to facilitate and address pollution issues.

Pam questioned how we are doing money wise, since we just gave away funds to the previous project. James replied that there are conflicts with several organizations claiming the same penalties. Applicants have no way of knowing these conflicts when they identify funds.

Pam advised we must be mindful of where the money is coming from. James indicated we are working to pinpoint the violations; legislation states the funds are to return to the communities where violations occur. We may need to get GIS mapping to get a better delineation of locations. Roughly fund distribution is \$27,000 in Sussex, \$16,000 in Kent and the balance is in New Castle County. There is \$404,000 according to the spreadsheet. Pam wanted to assure proper distribution was given to the proper local. James informed we are working on this with getting GIS locations for fine geographic points.

Jim Black stated he will be doing the work on the ground.

James indicated Jim Werner, Division of Air and Waste Management Director is the project sponsor. There have been past problems with the Port of Wilmington not complying with on-loading and off-loading requirements, air quality with trucks and vehicles that have no pollution control. This lends assistance to the Clean Ports project.

Katie continued stating we will be looking for EPA funding also, CARE I and CARE II grants, our experience has been working in port facilities, this is easily replicable.

Bill questioned if they will partner with Wilmington community centers, which Katie replied, yes, with Rosehill and others.

Jay stated we have the nurses association.

James stated the Clean Air Council will provide staffing for Asthma Action and will work together.

**Jay made the motion to fund the Clean Air Council, which was second by Bruce.**

Discussion:

Pam felt the funding should be limited to penalties from the city of Wilmington with this proposal and a geographic attachment should be adhered to for the funds.

Bill noted Rose Hill is not in the city of Wilmington. James stated it would be communities in the 19801 zip code, and both city and county are included.

Pam voiced concern if New Castle County pulls funds from Delaware City or Claymont this would not be appropriate. Funds should come from the communities where the violations come from and we should point to penalties in the proximity of the area concerned.

Bill suggested a map to show the location of the penalties. James advised we are developing the capacity to split funding from different violations, often matches of grant requests and violation amounts are not even balances, this must be tracked, this is a challenge. This is an internal issue we must work to resolve. Although the penalty spread sheet breaks down each fine by offender, and county, and date, the fiscal office has historically held the funds in a single account and recorded transactions as coming and going into a lump CEPF sum. We have no way to unravel that historical process now. Perhaps the only way to do it is in going forward. Going forward will require a meeting involving, our legal office, enforcement and the fiscal office. We will have to get standard operating procedures changed to redistribute penalty funds by county.

Bill questioned and La Vaida answered that the subcommittee ranked this project with a high rating. La Vaida informed all, I must reclude myself from the vote as I belong to the Nurses Association.

**Pam asked to amend the motion for this proposal so the grant does not exceed funds available in the City of Wilmington.**

Bruce stated with Air Quality issues, it is quite murky; this is not like a point source water issue. For example, the Chesapeake Bay watershed may have 6 watersheds, but 17 air-sheds. To limit locations of air issues unnecessarily constrains with air issues.

Jim Black requested we keep in mind this community is impacted by many sources whether there have been enforcement actions or not for Rt. 9 north of Claymont and from Delaware City. Pollution goes past the fence, so some flexibility is needed.

Jay agreed bad air from Delaware City travels. I would go ahead and recommend if DNREC does not approve, they can turn it down.

Bill acknowledged Pam's concern and we will look for advice from DNREC's new administration.

Harold Truxon agreed with Bruce in the air has no limits, stating wide plumes evident from the Indian River Power plant that the air is moving.

Bill called for a vote. In favor: Jay, Bruce, Brian, Harold. Not voting: Pam. Abstaining: La Vaida

**Bill announced the motion carries; we will recommend the Clean Air Council project with concern of the funding amounts due to location.**

### **Community Ecumenical Air Quality Promotion**

Present: Bob Hall Executive Director and Terry Brixen, DNREC Project Sponsor



Bob stated he had the honor of working with many key collations. Our intent is simple, by mobilizing the faith community; we will do community education to make an impact. People look to faith to get accurate information; we serve the elderly. It is a good place to get information out on, for example, the code orange alerts last summer at critical mass. The asthma issue allows communities to play a role in asthma and health issues. By the distribution of printed information, workshops for clergy, and constituents we are working with groups affected by asthma, county issues, people go to church where they live. We wish to start in Wilmington and radiate out to county.

Terry Brixen of Air Quality Management stated the outreach and education is a benefit as I am one person, by this requested training and education it helps to educate many others to get the word out. Education of citizens and help them to understand the issues is a nice way to train many people on air quality issues.

Bill called for a motion.

**Jay motioned the Clean Air Council be approved. Pam seconds the motion.**

James stated they are also pursuing the CARE funding.

All were in favor.

**Pam agreed, but we should designate funds from specific projects and address the connections between the neighborhood and penalties.**

**All were in favor, the motion carried.**

### **SCCC Recycling**

Present: William Oettel, Department of Correction, Sussex Community Correctional Center, Bill Miller, DNREC Project Sponsor

The Warden of Sussex Community Corrections in Georgetown, started the program in 1999, for those in violation of probation as a quazi boot camp with work crews in the community. We have worked with DELDOT and faith-based organizations keeping offenders busy. We got involved in shrink rap in 2005 – 06. Through word of mouth with Mr. Miller, this is an excellent project to keep offenders busy, working with Agriculture, DSP, DHSS and we want to get into more involved with recycling.

Bill stated they are currently going to respective marinas in Sussex, gathering the shrink wrap, behind Troop 4 with the Department of Agriculture and DNREC bailing the shrink rap. This creates 300 lb bales which can be shipped to distributor.

Bill Miller, the DNREC project sponsor, explained to the subcommittee that bailing consolidates recyclables to a form which is saleable in marketplace, bottles have value

but must be a form they can use, must be a bail, so they can take a load on truck and use. A bail is the standard form processors use, this equipment makes it saleable.

Pam asked if this money is for a bailer and equipment. The baler would be owned by the Department of Correction, correct? Pam questioned the upkeep of the building which would also be maintained by the Department of correction.

Mr. Oettel nodded, yes.

**Pam stated with identified specific penalties she so moved to recommend funding for the SCCC Recycling project. Jay seconds the motion.**

**Discussion: All were in agreement and in favor of recommending the project for funding.**

### **Dewy Beach Recycling**

No representative was present for this project.

Pam stated the project is Gordon Elliott. Bill Miller the identified project sponsor was present. Mr. Miller stated he had not been in contact, but based on the application he believed it to be a worthy project.

Brian stated there were questions in the subcommittee.

LaVadia advised the subcommittee rated as a 8, but there were questions.

Bill stated council deserves a personal representation, the individual is not here.

LaVadia informed this was a pilot project.

Bill stated we will set this aside, and thanked Bill Miller for being here.

### **N. St. Georges' Phase II Engineering studies**

Present: Philip Thayer, Denise Husband, Ann Palmer

Philip Thayer greeted all and noted the CIAC became aware in 2006, 2007 when N St. Georges submitted an application and were granted \$10,000 for starting this project and completed Phase I last year.

This property is on federal government property owned by the Corp of Engineers and involves right of ways of DEL DOT property. It abuts to U.S. Representative Mike Castle's trail project. To move forward, the Corp is providing a trail head, with the

allowance of the town developing and maintaining the property. By providing this, we are looking for federal highway enhancement funds, to enhance the sidewalks, and addressing the speed mitigation problems by installing crosswalks and speed mitigation devices, such as islands that would jut out from sidewalk. This is all part of the redevelopment of St. Georges. It will provide ingress to parklands.

We have been working with Denise Husband of the URS Corporation on phase II, to develop engineering studies to give engineering costs. James posed questions, relative to other entities such as DELDOT and ingress property and egress. Denise has the letter at her office, which was sent after we left. We will forward a copy of the letter.

James stated the subcommittee asked for DELDOT and Corps agreement.

Phil continued addressing the questions posed by the subcommittee. DELDOT has no problem. The Army Corp of Engineer's Mark Eberly is excited about the enhancement. Heather Sacks is the real estate contact for the Army Corp. In the past she has been amenable, but given the requirement that we develop an acceptable project, The N. St. Georges Civic Association could then get a 25 year lease agreement on the property.

Jay clarified, so an engineering study must be done before you can get a lease agreement?

Phil replied, yes.

Phil added; The CIAC also asked for another bid, which would involve more costs. Denise's company, URS Corporation, has been paid to do this study. If we must get a second bid, we would have to ask for more money.

Bill stated this request is for early engineering costs and noted the project sponsor is Bob Ehemann.

Pam stated there are other questions such as; who will do O and M (operation and maintenance)? The Corp requested it; who is responsible?

Phil indicated the Civic Association would be responsible.

Pam questioned, how would it be through volunteer effort?

Denise stated there is no grass; the plan is using green technology and rain gardens.

Pam – how will it be maintained, by volunteer efforts?

Phil said there would be no contract out; there is only \$3,000 in budget. It will be a carry out park, and maintained through volunteerism. We have an active civic association. There is less than ½ acre ¼ acres. Basically our responsibility will be just to pick up the trash. If not part of the hardscape, the Corp of Engineers will maintain it, it is the Corps responsibility.

Pam asked what the ultimate cost is, what are we talking about?

Phil stated it would be in the vicinity of ½ million dollars to 1 million dollars.

Bill questioned; does that complete the project? It would include all lighting, everything on the photo complete, at a cost of a few dollars a month.

Jay questioned the dark brown area and trees on the layout. Phil stated we are trying to convince Parks and Recreation to buy the other building.

Pam stated, you are asking for \$85,000 now, and next year may be back again. Who are the other funders? Denise replied funds are sought through transportation enhancement, stimulus money and now suburban street funds.

Bill stated; if you come back, that should all be broken out for us to see clearly.

Phil informed that the Army Corp of Engineers has access to equipment. if we get approved they would be able to do the rough grading at no cost.

LaVadia questioned the timeframe for the project. Phil stated it would be 6 months, and will try to get the county involved, also continuing to seek stimulus federal money.

Jay clarified that \$85,000 is for the study.

Bill asked about the field survey. Denise stated, yes, to go from concept to construction. Beyond the destination project, would include retaining walls, handicapped accessible.

Bruce stated there are two questions, the DELDOT issue, and the lease is not a clear. Denise stated she has an e-mail from the realtor for the Army Corp of Engineers with further questions before they can agree to a lease.

LaVadia questioned the support of the Corp of Engineers; Pam indicated there was a letter in the packet which delineated what the Corp expected.

Bill asked if a real estate instrument could be obtained. Phil indicated the best is from Heather of the Army Corp of Engineers, and they are willing to grant a 25 year lease. The e-mail which Denise received indicated the Corp wants the engineering study.

LaVadia questioned why they would not do the engineering studies? Phil replied; they are broke.

Pam expressed concern of lost CIAC funds if the lease is not obtained.

Denise advised DEL DOT wants to see enhancements.

Bill stated we need the instrument on file with the determination they will enter into long-term lease.

Jay suggested giving two months, to get the requirements together.

Pam voiced opposition, if additional funds are not secured, we lost out. We are not in a position to say here is \$500,000.

Bill asked La Vaida what conclusion the subcommittee came to. LaVadia stated it was not ranked, as we had questions. \$85,000 is a lot of money, if the Corp is supporting they should give the 25 year lease. This sounds shaky.

Denise stated she would submit the project.

Bill stated we need a real estate instrument that would hold up in court of law. Can I hear a motion?

LaVadia was uncomfortable.

**Jay made a motion to reconsider the N. St. Georges Civic Association Phase II – Engineering Studies if we get a real estate commitment. Harold seconds the motion.**

Discussion:

Phil advised that Denise Husband of URS had received this e-mail this morning. It is dated Feb. 9 from Heather Sacks of the Army Corps of Engineers to Ryan Mulheany of URS.

Bill stated this still does not provide a firm commitment. We are put in a precarious spot.

Bruce asked if there are things the Corp must do prior to commitment. Phil replied, the retaining wall. We are doing this.

Bill asked if there are any other issues, other than needing an instrument.

Pam said she would like to see funding from other sources. We only have a vested interest, we don't have that big a pot, and this is doomed for failure.

Denise suggested that URS works with communities to find funding, like buy a brick.

Phil added a meeting is scheduled on Thursday with highway enhancement, originally they would end at cul-de-sacs, but not go for pavers, instead go with stamped concrete.

**All in favor**

**Jay, Bruce, La Vaida in favor – 5 to postpone. Motion carries.**

Jay stated he shares Pam's concern. The money is not there to fund at the level that is needed.

Bill suggested we want to see proposed funders, and the breakdown, see the total budget when you come back. Next meeting is in two months – can you get it together by then, a budget and real estate instrument are needed .

Phil – by end of this year – in April. Thank you.

### **DE Ornithological Society**

Present: Derek Stoner, John Janowski

Derrick Stoner president of DOS, region wide organization, has community involvement. He has worked with DENRC in the past at Ft DuPont and in New Castle County on a birding trail.

John Janowski is DOS conservation committee member. Rob line of DNREC is the project sponsor.

The DOS request funds for habitat restoration at Ft DuPont state park. Our interest is to rehabilitation the area with native species, part of handout by Rob is an air photo from 1937. The map shows this area an island. This habitat is important to birds. We want to establish habitat for migratory birds, and resident and visiting birds.

The primary goal is to establish the 6 acres that straddles this area as an existing trail. Our goal is to work on the east side of trail to eliminate invasive species. We will follow up with planting native shrubs. Multi-flora rose invasive species are prominent here.

On the Western side of the trail forested area, is silver poplar. It is not native to North America. We will replant this area with native species.

Pam –How old are the trees?

John – The area was grass in 1937. Today, the gray poplars are about 75 years old. The last 10 years, due to nor'easters, they are many fallen and deteriorating trees. We need to enhance this area.

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Pam – The original proposal included Valero. Is it still a part of the project?

John – No. Due to the holiday season, and the short prep time, we have narrowed it to Ft DuPont State park.

Pam – so just item #1?

John – yes, we narrowed to #1

Pam – Have you reduced cost?

John - \$5,000

Pam – original proposal

John - \$5,000- targeted toward 1 of three possible sites.

Bill – Are you are looking for 3750 from us?

John – We just want to establish a toehold. From previous experience, this initial attempt will establish a workable program, and we will continue with other areas of the park.

Bill – What is master plan, the long range goals?

John – We are working with Rob Line who is our DNREC Parks Division sponsor. We envisioned going out 10 years ago, sat with DNREC. We want to make a park good for wildlife and recreational users. We have gone to various areas and planted two to three hundred trees in 10 years. We are serious about working with the community, we have done it. One component is to plan with DNREC, go back to DNREC.

Pam – I thought it was to go into planting trees. Not that you want DNREC to plant trees.

John – I was responding to the long range plans question. We will target the east side of trail for clearing, and planting of shrubs and use the same process on the western side, but trees not shrubs.

Pam – Will this be accomplished all this year?

John – Yes, the amended version has a time schedule, during the summer, the initiative is to control and eliminate invasive species, then in the spring to come back and plant.

Brian – Who maintains shrubs?

John – It is the responsibility of DNREC, designed for the seed production to take over and become dominant, it would be self-maintaining.

**Jay made a motion to accept the DE Ornithological Society proposal. La Vaida second the motion.**

James – Rob Line encouraged enhancement of this part and welcomed work with a non-profit to get a toehold.

Brian/John – It is a one year project. We will come back to continue the process.

Bill – When you come back, give us a 10 year plan.

Harold –How many are you targeting for the deer reduction?

James – Parks is planning some hunting to eliminate an unspecified number.

**Bill – All in favor, the ayes have it. Accepted.**

### **Friends of Wilmington Park, Sugar Bowl Pavilion**

Present: Joe Melloy

Joe Malloy native Delaware born in Wilmington, involved with Friends since start in 1991. He was with IBM 41 years and is now operating a technology company working with schools. He is fundraising with McIntyre Company. The organization has 350 members. Our parks are 450 acres. The Brandywine and Rockford is a total 450 acres. These acreages serve as venue for charitable events such as the Wilmington Flower market, Brandywine Fight for MS, and Breast Cancer Awareness.

A photo of the sugar bowl is on the cover. It is a pavilion on the cliff near the Wilmington Zoo, on north side of Wilmington Bridge. Recently there has been a Veterans developed monument nearby.

We have the original drawings. It was built in 1902, by the architect who built Rockford tower. The organization has been ongoing since 1991. We joined and collaborated with the National Guard and raised \$200,000 for the cost of construction. It looks like an inverted sugar bowl on top. It will become a venue for National Guard band to play.

We are involved in environmental activities. Events such as Hands Across the Brandywine. DNREC staff conducts classes, courses on energy and solar energy. There is a strong environmental aspect to recreation.

Bill - Questions?

Pam –I am concerned that we need to be more consistent with our mission perhaps more trees and shrubbery.

Joe – Part of our organization’s mission is providing the environmental exposure. We have plantings being done by DE Center of Horticulture, and Wilmington Rotary Club. We have engaged them to provide the plantings. With our environmental mission, we are making a contribution to the environment. We believe a piece of construction will enhance additional uses and get more people into the parks.

Bill – Is there a legal boundary on the use of CEPF funds?

James –The eligibility criteria in HB 192 states it should be environmental enhancement to increase recreational opportunities. Pam I did speak with parks about the point you raised. That is an entirely different application. It changes the nature of the request.

Joe – Chazz Salken is the sponsor, Ron Crouch is the parks superintendent.

Bill – If the other work is being paid for, are you looking for funding to complete the structure itself. What about foundations?

Joe - Yes

Bill – how many dollars have been invested in the Pavilion?

Joe – Probably \$200,000.

La Vaida – The subcommittee tabled this due to environmental enhancement criteria. Where is the environmental enhancement?



Jay – We don't do buildings. This is not our project.

Bill – why not? It will mean a lot.

Pam – We just approved a bailer building at Sussex. We don't see a clean environmental purpose.

Jay – This is a bandstand.

Joe – We have conducted educational classes.

Jay – Come back to ask for support of trees or hillside, we could support that, right?

Agreement came from La Vaida.

Joe – Hands across the Brandywine educational sessions, perhaps?

Bill – I motion that we approve and recommend. I see as environmental enhancement for the City.

La Vaida – I would like to see revision on education and training I feel that would be important.

Bill - I don't hear a second.

Bill – Can you look and review again?

**Pam – Entertain a motion to come before our next meeting on April 14<sup>th</sup>. –  
La Vaida second the motion, all were in favor.**

With all projects heard, the meeting was adjourned.

**Next Meeting dates:**

June 9, 2009 – Appoquinimink District Training Center  
Classroom 138  
118 South 6<sup>th</sup> Street, Odessa, DE

August 11, 2009 - Delaware Public Archives, Delaware Room,  
121 Duke of York Street, Dover, DE

October 13, 2009 – Smyrna Rest Area

December 8, 2009 – Smyrna Rest Area

Respectfully submitted,  
Vicki Ward  
Administrative Specialist III, DNREC

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Community Involvement Advisory Council members and the public in supplementing their personal notes and recall for presentations.*

